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Welfare Trust Fund for Northern California,
7 Inc.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 David A. Berger,

12 Plaintiff,

13 vs.

14 Laborers Health & Welfare Trust Fund for
15 Northern California, Inc.

16 Defendant.

Case No.: C08 03847 HRL

**PROOF OF SERVICE OF NOTICE OF
REMOVAL, ETC.**

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PROOF OF SERVICE

I am employed in the City and County of San Francisco by the law firm of Bullivant Houser Bailey, PC ("the business"), 601 California Street, Suite 1800, San Francisco, CA 94108. I am over the age of 18 and not a party to this action. On August 14, 2008, I served the document(s) entitled:

- CIVIL COVER SHEET
- NOTICE OF REMOVAL
- APPENDIX OF STATE COURT PLEADINGS IN SUPPORT OF NOTICE OF REMOVAL
- ECF REGISTRATION INFORMATION HANDOUT
- ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES
- CONSENTING TO A MAGISTRATE JUDGE'S JURISDICTION IN THE NORTHERN DISTRICT OF CALIFORNIA
- WELCOME TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, CLERK'S OFFICE, SAN JOSE DIVISION
- PROOF OF SERVICE OF NOTICE OF REMOVAL, ETC.

upon the following party(ies):

David A. Berger P.O. Box 5126 Carmel, CA 93921	
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☒ **BY MAIL** (CCP § 1013(a)): I am readily familiar with the ordinary practice of the business with respect to the collection and processing of correspondence for mailing with the United States Postal Service. I placed a true and correct copy(ies) of the above-titled document(s) in an envelope(s) addressed as above, with first class postage thereon fully prepaid. I sealed the aforesaid envelope(s) and placed it(them) for collection and mailing by the United States Postal Service in accordance with the ordinary practice of the business. Correspondence so placed is ordinarily deposited by the business with the United States Postal Service on the same day.

☐ BY FACSIMILE TRANSMISSION (CCP § 1013(e), CRC 2008(e)): I transmitted the document(s) by facsimile transmission by placing it(them) in a facsimile machine (telephone number 415-352-2701) and transmitting it(them) to the facsimile machine telephone number(s) listed above. A transmission report was properly issued by the transmitting facsimile machine. Each transmission was reported as complete and without error. A true and correct copy of the transmission report is attached hereto.

☐ BY OVERNIGHT DELIVERY (CCP § 1013(c)): I am readily familiar with the ordinary practice of the business with respect to the collection and processing of correspondence for mailing by Express Mail and other carriers providing for overnight delivery. I placed a true and correct copy(ies) of the above-titled document(s) in an envelope(s) addressed as above, with first class postage thereon fully prepaid. I sealed the aforesaid envelope(s) and placed it(them) for collection and mailing by Express Mail or other carrier for overnight delivery in accordance with the ordinary practice of the business. Correspondence so placed is ordinarily deposited by the business with Express Mail or other carrier on the same day.

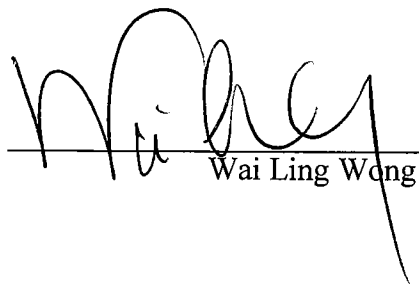
☐ BY PERSONAL SERVICE UPON AN ATTORNEY (CCP § 1011(a)): I placed a true and correct copy(ies) of the above-titled document(s) in a sealed envelope(s) addressed as indicated above. I delivered each of said envelope(s) by hand to a receptionist or a person authorized to accept same at the address on the envelope, or, if no person was present, by leaving the envelope in a conspicuous place in the office between the hours of nine in the morning and five in the afternoon.

☐ BY PERSONAL SERVICE UPON A PARTY (CCP § 1011(b)): I placed a true and correct copy(ies) of the above-titled document(s) in a sealed envelope(s) addressed as indicated above. I delivered each of said envelope(s) by hand to a person of not less than 18 years of age at the address listed on the envelope, between the hours of eight in the morning and six in the evening.

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1 I declare under penalty of perjury that the foregoing is true and correct. Executed on
2 August 14, 2008, at San Francisco, California.

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